

# Exhibit C

JENNIFER POWERS - 10/16/2018

1

2 UNITED STATES DISTRICT COURT

3 EASTERN DISTRICT OF NEW YORK

4 -----x

5 HILLARY LAWSON, KRISTINA HALLMAN,  
6 STEPHANIE CALDWELL, MOIRA HATHAWAY,  
MACEY SPEIGHT, ROSEMARIE PETERSON,  
and LAUREN FULLER,

7

Plaintiffs,

8

-against- Case No. 1:17-cv-06404

9

HOWARD RUBIN, JENNIFER POWERS,  
10 and the DOE COMPANY,

11 Defendants.

12 -----x

13 October 16, 2018  
10:07 a.m.

14

15 Videotaped Deposition of JENNIFER  
16 POWERS, taken by Plaintiffs, pursuant to  
17 Notice, at the offices of Balestriere  
18 Fariello, 225 Broadway, New York, New  
19 York, before ERIC J. FINZ, a Shorthand  
20 Reporter and Notary Public within and for  
21 the State of New York.

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1

2 ALSO PRESENT:

3 HOWARD RUBIN

4 RUDOLFO DURAN, Videographer

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IT IS HEREBY STIPULATED AND

3 AGREED by and between the attorneys for  
4 the respective parties herein that filing  
5 and sealing be and the same are hereby  
6 waived.

7 IT IS FURTHER STIPULATED AND  
8 AGREED that all objections, except as to  
9 the form of the question, shall be  
0 reserved to the time of the trial.

11 IT IS FURTHER STIPULATED AND  
12 AGREED that the within deposition may be  
13 signed and sworn to before any officer  
14 authorized to administer an oath with the  
15 same force and effect as if signed and  
16 sworn to before the Court.

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1	JENNIFER POWERS	
2	A. To my knowledge.	11:17:51
3	Q. Do you know if Ms. Schnur	11:17:52
4	created any nondisclosure agreements?	11:17:54
5	A. No.	11:17:57
6	Q. I'm sorry, I don't understand	11:17:59
7	your testimony. She didn't or you don't	11:18:03
8	know if she did?	11:18:05
9	A. Yifat did not.	11:18:06
10	Q. Who did?	11:18:07
11	A. A guy named [REDACTED].	11:18:08
12	Q. Do you know when Mr. [REDACTED]	11:18:11
13	did that?	11:18:13
14	A. I'm sorry, when?	11:18:13
15	Q. Do you know when Mr. [REDACTED]	11:18:14
16	or someone at his direction drafted the	11:18:15
17	nondisclosure agreements?	11:18:17
18	A. I believe it was 2014. I'm	11:18:18
19	not sure. But sometime in 2014.	11:18:23
20	Q. At that time Ms. Schnur wasn't	11:18:26
21	engaged by you and Mr. Rubin. Correct?	11:18:30
22	A. I didn't know Yifat then. Or	11:18:34
23	Howie didn't know her at that point.	11:18:36
24	Q. Was Mr. [REDACTED] ever your	11:18:37
25	counsel?	11:18:39

1	JENNIFER POWERS	
2	A. Yes.	11:51:17
3	Q. Besides paying for flights and	11:51:18
4	besides making those kind of direct	11:51:23
5	payments to the individuals, did you make	11:51:25
6	other payments to these individuals for	11:51:29
7	something else?	11:51:30
8	A. No.	11:51:32
9	Q. Did you ever make payments for	11:51:33
10	medical treatment or anything like that,	11:51:34
11	to the best of your recollection?	11:51:37
12	A. No.	11:51:39
13	Q. Did you ever meet --	11:51:40
14	withdrawn.	11:51:40
15	Did all the women that you	11:51:47
16	booked to come to New York, did they	11:51:48
17	always meet Mr. Rubin at the apartment?	11:51:50
18	A. In the beginning, no.	11:51:53
19	Actually, the apartment came about to be	11:51:56
20	sometime summer of 2011. So before that,	11:52:00
21	the meetings could be outside the	11:52:04
22	apartment.	11:52:07
23	Q. Where?	11:52:08
24	A. A hotel.	11:52:09
25	Q. Was there a specific hotel?	11:52:10

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1	JENNIFER POWERS	
2	A. No.	11:52:12
3	Q. How many hotels, do you	11:52:13
4	recall?	11:52:16
5	A. I don't remember.	11:52:16
6	Q. Where were the hotels located?	11:52:17
7	A. In Manhattan.	11:52:20
8	Q. In midtown Manhattan?	11:52:21
9	A. Yes, sir.	11:52:23
10	Q. Were there any not in the	11:52:23
11	midtown area?	11:52:25
12	A. I don't remember there being	11:52:26
13	any outside that area.	11:52:29
14	Q. So besides the apartment and	11:52:30
15	besides the hotel, where else, if	11:52:33
16	anywhere, did Mr. Rubin meet with the	11:52:37
17	individuals who -- for whom you booked	11:52:39
18	these flights?	11:52:42
19	A. They would go to a restaurant,	11:52:43
20	or perhaps a Broadway show or a movie.	11:52:45
21	Maybe a rooftop for drinks.	11:52:50
22	Q. Do you remember which shows,	11:52:54
23	which Broadway shows?	11:52:55
24	A. Hamilton.	11:52:56
25	Q. Besides that, do you remember	11:53:02

1	JENNIFER POWERS	
2	Q. What about any actual physical	12:06:51
3	books, did he keep any records in any	12:06:53
4	physical books regarding the women he met	12:06:55
5	with?	12:06:57
6	A. Not that I'm aware of.	12:06:57
7	Q. Now, the apartment that we	12:06:59
8	were talking about, whose name was on the	12:07:07
9	lease?	12:07:08
10	A. Howie's.	12:07:09
11	Q. Was it under his personal	12:07:12
12	name, do you know?	12:07:14
13	A. I believe so.	12:07:14
14	Q. We were discussing before	12:07:23
15	nondisclosure agreements. Do you know	12:07:26
16	which plaintiffs, so now I'm going to	12:07:28
17	restrict it to that, signed nondisclosure	12:07:32
18	agreements?	12:07:34
19	A. Yes.	12:07:35
20	Q. Which?	12:07:35
21	A. All of them.	12:07:36
22	Q. Now I'm going to talk	12:07:36
23	nonplaintiffs and ask you if you know if	12:07:38
24	they signed any nondisclosure agreements.	12:07:40
25	Do you know if [REDACTED] did?	12:07:43

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1	JENNIFER POWERS	
2	A. I believe so.	12:07:44
3	Q. What about [REDACTED]?	12:07:45
4	A. Yes.	12:07:47
5	Q. [REDACTED], do you know if	12:07:47
6	she did?	12:07:50
7	A. Yes.	12:07:51
8	Q. What about [REDACTED], do	12:07:53
9	you know if she did?	12:07:57
10	A. I believe so.	12:07:58
11	Q. [REDACTED], did she	12:07:59
12	signed a nondisclosure agreement?	12:08:01
13	A. I believe so, yes.	12:08:03
14	Q. What about [REDACTED]?	12:08:04
15	A. Yes.	12:08:07
16	Q. And [REDACTED]?	12:08:07
17	A. Yes.	12:08:09
18	Q. Were you ever present when any	12:08:11
19	of the women we just discussed signed	12:08:14
20	these nondisclosure agreements?	12:08:15
21	A. Yes.	12:08:17
22	Q. Where did they sign them?	12:08:17
23	A. In the condo, in the	12:08:19
24	apartment.	12:08:23
25	Q. Did everyone we just discussed	12:08:24

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1	JENNIFER POWERS	
2	sign the nondisclosure agreement in the	12:08:27
3	apartment?	12:08:29
4	A. I believe so.	12:08:31
5	Q. Was there anywhere else that	12:08:37
6	they signed them, to your knowledge?	12:08:39
7	A. Not to my knowledge.	12:08:41
8	Q. But I guess I'm not sure, do	12:08:43
9	you think that they might have? I'm not	12:08:46
10	sure if I understand what your	12:08:48
11	recollection is, forgive me.	12:08:49
12	A. No, no, I'm sorry.	12:08:51
13	Q. That's okay.	12:08:52
14	A. I always signed the release	12:08:53
15	with them. So being that it was me that	12:08:55
16	always was with them when they signed the	12:08:59
17	release, I usually met them at the	12:09:01
18	apartment. And that's where we signed.	12:09:03
19	Q. So you always signed the	12:09:05
20	nondisclosure agreements with the women	12:09:09
21	that we've been discussing. Correct?	12:09:10
22	A. I always discussed it with	12:09:12
23	them and made sure that they knew what	12:09:14
24	they were signing, yes.	12:09:16
25	Q. Okay. But I understand you're	12:09:17

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1	JENNIFER POWERS	
2	saying what you discussed with them. I	12:09:19
3	just want to be clear, you were always	12:09:21
4	there when they signed these	12:09:23
5	nondisclosure agreements. Correct?	12:09:24
6	A. Yes, correct.	12:09:25
7	Q. And just to clarify because	12:09:26
8	we've used the term "release" at certain	12:09:28
9	point. When you use the term "release,"	12:09:30
10	you're referring to the same document,	12:09:32
11	the nondisclosure agreement?	12:09:33
12	A. It's actually a nondisclosure	12:09:34
13	agreement and release.	12:09:36
14	Q. Do you prefer another name for	12:09:37
15	it, I don't want to be confusing?	12:09:38
16	A. You can call it whatever you	12:09:40
17	want.	12:09:41
18	Q. What do you call it?	12:09:41
19	A. I call it the release.	12:09:42
20	Q. So then I'll call it the	12:09:43
21	release.	12:09:45
22	You were always present with	12:09:45
23	each of the women we've discussed when	12:09:47
24	they signed the releases. Correct?	12:09:48
25	A. Yes.	12:09:50

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1 JENNIFER POWERS

2 Q. And you were always present 12:09:50  
3 with them at the apartment when they 12:09:54  
4 signed these releases. Right? 12:09:55

5 A. Yes, sir. 12:09:57

6 Q. Who, if anyone else, was 12:09:57  
7 present when they signed these releases? 12:09:59

8 A. Well, in [REDACTED] case, when she 12:10:01  
9 brought a friend, that other person would 12:10:05  
10 be there as well. 12:10:07

11 Q. Who are we talking about a 12:10:08  
12 friend? 12:10:10

13 A. [REDACTED]. So then it would 12:10:10  
14 be [REDACTED], [REDACTED] and I signing -- and going 12:10:13  
15 over the same release, executing it. 12:10:17

16 Q. And you were the only ones 12:10:20  
17 there during at least when Ms. [REDACTED] 12:10:22  
18 signed it. Is that correct? 12:10:24

19 A. Yes. 12:10:25

20 Q. Okay. Was Mr. Rubin ever 12:10:25  
21 present when you were with the women 12:10:27  
22 we've been discussing and they signed the 12:10:30  
23 releases? 12:10:32

24 A. No. 12:10:33

25 Q. What about anyone else really, 12:10:33

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1	JENNIFER POWERS	
2	A. No.	12:26:08
3	Q. How come?	12:26:09
4	A. [REDACTED] duty was to clean	12:26:10
5	the sheets of the bedroom, wash the	12:26:14
6	dishes, vacuum the floors. I did the	12:26:18
7	second bedroom.	12:26:20
8	Q. Was there something special	12:26:21
9	about what you're calling the second	12:26:22
10	bedroom?	12:26:24
11	A. Well, the second bedroom was	12:26:24
12	where we kept all of Howie's toys and	12:26:27
13	things of that nature.	12:26:30
14	Q. The sex toys and things for	12:26:32
15	BDSM?	12:26:34
16	A. Yes, sir.	12:26:35
17	Q. Was access to what you're	12:26:35
18	calling the second bedroom restricted?	12:26:37
19	A. Yes.	12:26:39
20	Q. How do you get into the second	12:26:39
21	bedroom from the rest of the apartment?	12:26:40
22	A. There was a lock on the door	12:26:43
23	that I installed. It was a keyed lock	12:26:44
24	with a code on it.	12:26:47
25	Q. So you knew the code. Right?	12:26:48

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1 JENNIFER POWERS  
2 Jennifer McGuffin. 15:51:37  
3 Q. Can you spell McGuffin? 15:51:38  
4 A. M-c-G-u-f-f-i-n. 15:51:40  
5 Q. Thank you. 15:51:43  
6 A. You're welcome. 15:51:44  
7 MR. BALESTRIERE: No further 15:51:45  
8 questions. 15:51:45  
9 MR. McDONALD: We don't have 15:51:47  
10 any questions. 15:51:50  
11 THE VIDEOGRAPHER: The time is 15:51:51  
12 3:51 p.m., and we're going off the 15:51:53  
13 record. 15:51:55  
14 (Time noted: 3:51 p.m.) 15:51:56  
15  
16  
17

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18 JENNIFER POWERS  
19  
20 Subscribed and sworn to before me  
21 this \_\_\_\_\_ day of \_\_\_\_\_, 2018.  
22

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1 JENNIFER POWERS

2 STATE OF NEW YORK )  
3 COUNTY OF NEW YORK )  
ss:

4 I wish to make the following  
changes, for the following reasons:

5 PAGE LINE

6 \_\_\_\_\_ CHANGE \_\_\_\_\_  
7 REASON: \_\_\_\_\_

8 \_\_\_\_\_ CHANGE \_\_\_\_\_  
9 REASON: \_\_\_\_\_

10 \_\_\_\_\_ CHANGE \_\_\_\_\_  
11 REASON: \_\_\_\_\_

12 \_\_\_\_\_ CHANGE \_\_\_\_\_  
13 REASON: \_\_\_\_\_

14 \_\_\_\_\_ CHANGE \_\_\_\_\_  
15 REASON: \_\_\_\_\_

16 \_\_\_\_\_ CHANGE \_\_\_\_\_  
17 REASON: \_\_\_\_\_

18 \_\_\_\_\_ CHANGE \_\_\_\_\_  
19 REASON: \_\_\_\_\_

20 \_\_\_\_\_ CHANGE \_\_\_\_\_  
21 REASON: \_\_\_\_\_

22 \_\_\_\_\_ JENNIFER POWERS  
23 Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

24

25 \_\_\_\_\_

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1 JENNIFER POWERS

2 C E R T I F I C A T E

3 STATE OF NEW YORK )  
4 COUNTY OF NEW YORK ) : ss.

5

6 I, ERIC J. FINZ, a Shorthand  
7 Reporter and Notary Public within and for  
8 the State of New York, do hereby certify:

9 That JENNIFER POWERS, the witness  
10 whose deposition is hereinbefore set  
11 forth, was duly sworn by me and that such  
12 deposition is a true record of the  
13 testimony given by the witness.

14 I further certify that I am not  
15 related to any of the parties to this  
16 action by blood or marriage, and that I  
17 am in no way interested in the outcome of  
18 this matter.

19 IN WITNESS WHEREOF, I have hereunto  
20 set my hand this 19th day of October,  
21 2018.



22 \_\_\_\_\_  
23 ERIC J. FINZ  
24  
25

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1	JENNIFER POWERS	
2	E X H I B I T S	
3	DESCRIPTION	PAGE
4	(Powers Exhibit 1 for	245
5	identification, document headed	
6	"Confidentiality Agreement and	
7	Release," production numbers HR	
8	47 through HR 48.)	
9	(Powers Exhibit 2 for	247
10	identification, document headed	
11	"Confidentiality Agreement and	
12	Release," production numbers HR	
13	49 through HR 50.)	
14	(Powers Exhibit 3 for	249
15	identification, document headed	
16	"Confidentiality Agreement and	
17	Release," production numbers HR	
18	51 through HR 52.)	
19	(Powers Exhibit 4 for	250
20	identification, document headed	
21	"Confidentiality Agreement and	
22	Release," production numbers HR	
23	469 through HR 470.)	
24		
25		

1	JENNIFER POWERS	
2	E X H I B I T S (Continued)	
3	DESCRIPTION	PAGE
4	(Powers Exhibit 5 for	251
5	identification, document headed	
6	"Confidentiality Agreement and	
7	Release," production numbers HR	
8	473 through HR 474.)	
9	(Powers Exhibit 6 for	253
10	identification, document headed	
11	"Confidentiality Agreement and	
12	Release," production numbers HR	
13	471 through HR 472.)	
14	(Powers Exhibit 7 for	256
15	identification, document headed	
16	"Confidentiality Agreement and	
17	Release," production numbers HR	
18	693 through HR 694.)	
19		
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